

DETAILED ACTION

1. Applicant's amendment, filed 03/01/2010, has been entered.
Claim 2 has been amended.

Claims 2-4, 11-12, 14, 16-21, 23-29, 32-41, 43-51, 62-68 and 76-79 are pending.

Claims 2-4, 11-12, 27-29, 32-41, 68 and 76-79 are being acted upon as the elected invention.

Claims 1, 5-10, 13, 15, 22, 30-31, 42, 52-61 and 69-75 have been canceled previously

Claims 14, 16-21, 23-26, 43-51 and 62-67 have been withdrawn from consideration as being drawn to the nonelected inventions and/or species.

EXAMINER'S AMENDMENT

4. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

5. Authorization for this Examiner's Amendment was given in a telephone interview with Stacy Taylor on 03/09/2010.

6. Claims 14, 16-21, 23-26, 43-51 and 62-67 have been canceled.

7. The title has been replaced with the following:

-- NUCLEIC ACID MOLECULES ENCODING TNF-ALPHA LIGAND POLYPEPTIDES HAVING A CD154 DOMAIN -- .

REASONS FOR ALLOWANCE

8. The following is an Examiner's Statement of Reasons for Allowance:

Upon reconsideration of applicant's amended claims, filed 03/01/2010 and arguments and Attachment A, the previous rejection under 35 USC 112, first paragraph, written description has been withdrawn. The claimed / referenced TNF α , including the 12 amino acid mmp recognition sequences spanning valine 77 to proline 88 is that described in paragraphs [0007]-[0008] of the instant specification, which refer to Decoster et al., J Biol Chem 270: 18473-18474, 1995 (1449; #A5) and Tang et al., Biochemistry 35: 8226-8233, 1996 (1449; #A4).

Applicant's provision of pages from the American Type Culture Collections's Cell Line Catalog listings for the HeLa, 293, A549, COLO205, HCT 15, BT 20 and HT1080 cells / cell lines (see Attachment B), indicating public availability of these cells is acknowledged.

Therefore, the previous rejection under 35 USC 112, first paragraph, enablement with respect to the claimed biological materials has been withdrawn.

Applicant's statement concerning common ownership with respect to commonly assigned 11/015,117, now U.S. Patent No. 7,524,944 (892; of record) is acknowledged.

9. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phillip Gambel, whose telephone number is (571) 272-0844. The examiner can normally be reached Monday through Thursday from 7:30 am to 6:00 pm. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ram Shukla can be reached on (571) 272-0735.

The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Phillip Gambel/
Primary Examiner
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Art Unit 1644
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